

SENATE/HOUSE FILE _____
BY (PROPOSED DEPARTMENT OF
PUBLIC SAFETY BILL)

A BILL FOR

1 An Act relating to an ex parte court order authorizing the
2 interception of wire, oral, or electronic communications by
3 special state agents.
4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. Section 808B.5, subsection 3, paragraph a, Code
2 2018, is amended to read as follows:

3 a. (1) There is probable cause for belief that an
4 individual is committing, has committed, or is about to commit
5 a felony offense ~~involving dealing in controlled substances, as~~
6 ~~defined in section 124.101, subsection 5~~ described in section
7 808B.3, subsection 1, 2, 3, 4, or 6.

8 (2) There is probable cause for belief that the evidence
9 is related to a circumstance described in section 808B.3,
10 subsection 5.

11 EXPLANATION

12 The inclusion of this explanation does not constitute agreement with
13 the explanation's substance by the members of the general assembly.

14 This bill relates to an ex parte court order authorizing
15 the interception of wire, oral, or electronic communications
16 by special state agents.

17 The bill specifies that upon application, the court may
18 enter an ex parte order, authorizing the interception of wire,
19 oral, or electronic communications if the court finds there is
20 probable cause for belief that an individual is committing, has
21 committed, or is about to commit a felony offense involving
22 any of the following: a forcible felony, a felony offense
23 involving ongoing criminal conduct in violation of Code
24 chapter 706A, a felony offense involving money laundering in
25 violation of Code chapter 706B, or a felony offense involving
26 human trafficking in violation of Code chapter 710A. The bill
27 also authorizes, upon application, the interception of wire,
28 oral, or electronic communications if the court finds there
29 is probable cause for belief that the evidence is related to
30 a felony fugitive warrant issued in the state or involves an
31 individual who is reasonably believed to be located within the
32 state.

33 Currently, the court may, upon application, enter an order
34 authorizing the interception of wire, oral, or electronic
35 communications if the court finds there is probable cause

S.F. _____ H.F. _____

1 for belief that an individual is committing, has committed,
2 or is about to commit a felony offense involving dealing in
3 controlled substances, as defined in Code section 124.101.